

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS  
Michael Melohn

DEFENDANTS  
Sy Stern, Aryeh Zaks, Sima Weintraub, Akive Feinsod, Eli Kunstlinger, Yaakov Beyman, David Teiler, Robert Kunstlinger, Ezra Beyman, Alfons Melohn, and John Does 1-20

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)  
Condon & Mara, PLLC  
55 Old Turnpike Road, Suite 502, Nanuet, NY 10954  
(845) 627-8500

ATTORNEYS (IF KNOWN)

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)  
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Petition for Pre-Action Discovery Pursuant to FRCP 27

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No  Yes  Judge Previously Assigned

If yes, was this case Vol.  Invol.  Dismissed. No  Yes  If yes, give date \_\_\_\_\_ & Case No. \_\_\_\_\_

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No  Yes

(PLACE AN [X] IN ONE BOX ONLY)

NATURE OF SUIT

TORTS		ACTIONS UNDER STATUTES			
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 INSURANCE	<input type="checkbox"/> 310 AIRPLANE	<input type="checkbox"/> 367 HEALTHCARE/PHARMACEUTICAL PERSONAL INJURY/PRODUCT LIABILITY	<input type="checkbox"/> 625 DRUG RELATED SEIZURE OF PROPERTY	<input type="checkbox"/> 422 APPEAL 28 USC 158	<input type="checkbox"/> 375 FALSE CLAIMS
<input type="checkbox"/> 120 MARINE	<input type="checkbox"/> 315 AIRPLANE PRODUCT LIABILITY	<input type="checkbox"/> 365 PERSONAL INJURY PRODUCT LIABILITY	<input type="checkbox"/> 21 USC 881	<input type="checkbox"/> 423 WITHDRAWAL 28 USC 157	<input type="checkbox"/> 376 QUI TAM
<input type="checkbox"/> 130 MILLER ACT	<input type="checkbox"/> 320 ASSAULT, LIBEL & SLANDER	<input type="checkbox"/> 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY	<input type="checkbox"/> 690 OTHER		<input type="checkbox"/> 400 STATE REAPPORTIONMENT
<input type="checkbox"/> 140 NEGOTIABLE INSTRUMENT	<input type="checkbox"/> 330 FEDERAL EMPLOYERS' LIABILITY				<input type="checkbox"/> 410 ANTITRUST
<input type="checkbox"/> 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	<input type="checkbox"/> 340 MARINE	PERSONAL PROPERTY	<input type="checkbox"/> 820 COPYRIGHTS	<input type="checkbox"/> 430 BANKS & BANKING	<input type="checkbox"/> 440 COMMERCE
<input type="checkbox"/> 151 MEDICARE ACT	<input type="checkbox"/> 345 MARINE PRODUCT LIABILITY	<input type="checkbox"/> 370 OTHER FRAUD	<input type="checkbox"/> 830 PATENT		<input type="checkbox"/> 460 DEPORTATION
<input type="checkbox"/> 152 RECOVERY OF DEFOLTED STUDENT LOANS (EXCL VETERANS)	<input type="checkbox"/> 350 MOTOR VEHICLE	<input type="checkbox"/> 371 TRUTH IN LENDING	<input type="checkbox"/> 835 PATENT-ABBREVIATED NEW DRUG APPLICATION		<input checked="" type="checkbox"/> 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)
<input type="checkbox"/> 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS	<input type="checkbox"/> 355 MOTOR VEHICLE PRODUCT LIABILITY	<input type="checkbox"/> 380 OTHER PERSONAL PROPERTY DAMAGE	<input type="checkbox"/> 840 TRADEMARK	SOCIAL SECURITY	<input type="checkbox"/> 480 CONSUMER CREDIT
<input type="checkbox"/> 160 STOCKHOLDERS SUITS	<input type="checkbox"/> 360 OTHER PERSONAL INJURY	<input type="checkbox"/> 385 PROPERTY DAMAGE PRODUCT LIABILITY	<input type="checkbox"/> 861 HIA (1395ff)		<input type="checkbox"/> 490 CABLE/SATELLITE TV
<input type="checkbox"/> 190 OTHER CONTRACT CONTRACT PRODUCT LIABILITY	<input type="checkbox"/> 362 PERSONAL INJURY - MED MALPRACTICE	<input type="checkbox"/> 463 ALIEN DETAINEE	<input type="checkbox"/> 862 BLACK LUNG (923)		<input type="checkbox"/> 1850 SECURITIES/ COMMODITIES/ EXCHANGE
<input type="checkbox"/> 195 FRANCHISE	ACTIONS UNDER STATUTES	<input type="checkbox"/> 510 MOTIONS TO VACATE SENTENCE 28 USC 2255	<input type="checkbox"/> 710 FAIR LABOR STANDARDS ACT	<input type="checkbox"/> 863 DIVC/DIVW (405(g))	<input type="checkbox"/> 1890 OTHER STATUTORY ACTIONS
<input type="checkbox"/> 196	CIVIL RIGHTS	<input type="checkbox"/> 530 HABEAS CORPUS	<input type="checkbox"/> 720 LABOR/MGMT RELATIONS	<input type="checkbox"/> 864 SSID TITLE XVI	<input type="checkbox"/> 1891 AGRICULTURAL ACTS
<input type="checkbox"/> 440 OTHER CIVIL RIGHTS (Non-Prisoner)		<input type="checkbox"/> 535 DEATH PENALTY	<input type="checkbox"/> 740 RAILWAY LABOR ACT	<input type="checkbox"/> 865 RSI (405(g))	
<input type="checkbox"/> 441 VOTING		<input type="checkbox"/> 540 MANDAMUS & OTHER	<input type="checkbox"/> 751 FAMILY MEDICAL LEAVE ACT (FMLA)	<input type="checkbox"/> 870 TAXES (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 1893 ENVIRONMENTAL MATTERS
<input type="checkbox"/> 442 EMPLOYMENT	PRISONER CIVIL RIGHTS		<input type="checkbox"/> 790 OTHER LABOR LITIGATION	<input type="checkbox"/> 871 IRS-THIRD PARTY 26 USC 7609	<input type="checkbox"/> 1895 FREEDOM OF INFORMATION ACT
<input type="checkbox"/> 443 HOUSING/ACCOMMODATIONS			<input type="checkbox"/> 791 EMPL RET INC SECURITY ACT (ERISA)		<input type="checkbox"/> 896 ARBITRATION
<input type="checkbox"/> 444 AMERICANS WITH DISABILITIES - EMPLOYMENT		<input type="checkbox"/> 550 CIVIL RIGHTS	IMMIGRATION		<input type="checkbox"/> 899 ADMINISTRATIVE PROCEDURE ACT/REVIEW OR APPEAL OF AGENCY DECISION
<input type="checkbox"/> 445 AMERICANS WITH DISABILITIES - OTHER		<input type="checkbox"/> 555 PRISON CONDITION	<input type="checkbox"/> 462 NATURALIZATION APPLICATION		<input type="checkbox"/> 950 CONSTITUTIONALITY OF STATE STATUTES
<input type="checkbox"/> 446 AMERICANS WITH DISABILITIES - OTHER		<input type="checkbox"/> 560 CIVIL DETAINEE CONDITIONS OF CONFINEMENT	<input type="checkbox"/> 465 OTHER IMMIGRATION ACTIONS		
<input type="checkbox"/> 448 EDUCATION					
REAL PROPERTY					
<input type="checkbox"/> 210 LAND CONDEMNATION					
<input type="checkbox"/> 220 FORECLOSURE RENT LEASE & EJECTMENT					
<input type="checkbox"/> 230 TORTS TO LAND TORT PRODUCT LIABILITY					
<input type="checkbox"/> 240 ALL OTHER REAL PROPERTY					

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y. AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?

IF SO, STATE:

DEMAND \$ \_\_\_\_\_ OTHER \_\_\_\_\_ JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

Check YES only if demanded in complaint

JURY DEMAND:  YES  NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN *x* IN ONE BOX ONLY)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from (Specify District)	<input type="checkbox"/> 6 Multidistrict Litigation (Transferred)	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge
<input type="checkbox"/> a. all parties represented						<input type="checkbox"/> 8 Multidistrict Litigation (Direct File)
<input type="checkbox"/> b. At least one party is pro se.						

(PLACE AN *x* IN ONE BOX ONLY)

<input type="checkbox"/> 1 U.S. PLAINTIFF	<input type="checkbox"/> 2 U.S. DEFENDANT	<input checked="" type="checkbox"/> 3 FEDERAL QUESTION	<input type="checkbox"/> 4 DIVERSITY (U.S. NOT A PARTY)
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#### BASIS OF JURISDICTION

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

#### CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	<input type="checkbox"/> PTF [ ]1	<input type="checkbox"/> DEF [ ]1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	<input type="checkbox"/> PTF [ ]3	<input type="checkbox"/> DEF [ ]3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	<input type="checkbox"/> PTF [ ]5	<input type="checkbox"/> DEF [ ]5
CITIZEN OF ANOTHER STATE	<input type="checkbox"/> [ ]2	<input type="checkbox"/> [ ]2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	<input type="checkbox"/> [ ]4	<input type="checkbox"/> [ ]4	FOREIGN NATION	<input type="checkbox"/> [ ]6	<input type="checkbox"/> [ ]6

#### PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

#### DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

#### DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

#### COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO:  WHITE PLAINS  MANHATTAN

DATE 7/20/20

*Brian K. Condon*  
SIGNATURE OF ATTORNEY OF RECORD

RECEIPT #

ADMITTED TO PRACTICE IN THIS DISTRICT

[ ] NO  
 YES (DATE ADMITTED Mo. April Yr. 1996)  
Attorney Bar Code # BKC 4683

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge \_\_\_\_\_ is so Designated.

Ruby J. Krajick, Clerk of Court by \_\_\_\_\_ Deputy Clerk, DATED \_\_\_\_\_.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)